

Notice of Allowability

Application No.

10/081,329

Applicant(s)

BARNETT ET AL.

Examiner

Satish S. Rampuria

Art Unit

2191

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/12/2007.
2. ☒ The allowed claim(s) is/are 1-3, 5-7, 9-14, 16-18, 20-25, 27-29, 31-32 (Re-numbered as 1-26).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 01/12/07, 11/24/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20070205
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

This action is in response to the RCE filed on 01/12/2006.

Claims 1-3, 5-7, 9-14, 16-18, 20-25, 27-29, 31-32 are allowed.

Claims 4, 8, 15, 19, 26, and 30 are cancelled by the Applicant.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Genie Lyons [Reg. No. 43,841] on January 24, 2007.

In the claims

Please cancel claims 8, 19, and 30.

Please amend claims 7, 12, 18, 23, and 29 as follows.

Claim 7 (Currently Amended),

At line 5, delete [; and] and add --;--.

At line 8, delete [system;] and add --system; and the software object comprising at least one instruction which, when executed by the computer system, causes a test that the state of a conformance-test enabled implementation conforms to the software specification during the mandatory call;--.

Claim 12 (Currently Amended),

At line 7, delete [and the software specification in the same procedure,] and add -- and the at least a portion of the software specification in the same procedure; wherein the procedure comprises at least one portion of the software implementation and the at least one portion of the software specification;--.

At line 8, delete [wherein nondeterministic choices the software specification] and add -- wherein nondeterministic choices of the at least one portion of the software specification--.

At line 11, delete [of the software specification] and add --of the at least one portion of the software specification--.

Claim 18 (Currently Amended),

At line 7, delete [; and] and add --;--.

At line 10, delete [system;] and add --system; and the software object comprising at least one instruction which, when executed by the computer system, causes a test that the state of the conformance-test enabled implementation conforms to the software specification during the mandatory call--;

Claim 23 (Previously presented),

At line 3, delete [a machine-readable medium] and add --a machine-readable storage medium--.

At line 7, delete [conformance-test enabled implementation a same body of code] and add -- conformance-test enabled implementation within a same body of code--.

At line 8, delete [and the software specification integrated into at least one procedure] and add --and the software specification integrated into at least one procedure, wherein the at

least one procedure comprises at least one portion of the software implementation and at least one portion of the software specification,--.

At line 11, delete [nondeterministic choices of the software specification] and add --nondeterministic choices of the at least one portion of the software specification--.

Claim 29 (Currently Amended),

At line 3, delete [a machine-readable medium] and add --a machine-readable storage medium--.

At line 1, delete [; and] and add --;--.

At line 15, delete [.] add --the conformance-test enabled implementation comprising at least one instruction which, when executed by the computer system, causes a section of the software object to be executed prior to the conformance-test enabled implementation performing the mandatory call, the section of the software object to be executed corresponding to a step of the software specification comprising the mandatory call.--

--END--

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

As pointed out by the Applicants in the Remark that the cited prior art (Leiba et al. [6,260,065] and Willis et al. [6,321,376]) taken alone or in combination fail to teach, in combination with the other claimed limitations, *"applying software implementation source code and at least a portion of the software specification to produce a conformance-test enabled implementation comprising portions of the software implementation and portions of the software specification integrated into a same body of code wherein nondeterministic choices of the*

software specification result in assigning a corresponding choice of the conformance-test enabled implementation to a variable, wherein at least one procedure comprises at least one portion of the software implementation and at least one portion of the software specification, and the conformance-test enabled implementation comprising a test that the variable comprises one of the nondeterministic choices of the software specification; compiling the software implementation source code from a first high-level language into an intermediate language; compiling the software specification from a second high-level language into the intermediate language; and producing the conformance-test enabled implementation in the intermediate language” as recited in the independent claims 1, 12, and 23.

As pointed out by the Applicants in the Remark that the cited prior art (Leiba et al. [6,260,065] and Willis et al. [6,321,376]) taken alone or in combination fail to teach, in combination with the other claimed limitations, *“producing a software object organized such that a step of the software specification is surrounded by a corresponding code section of the software implementation in the software object, the software object having a class; the software object comprising at least one instruction which, when executed by a computer system, causes an identification of a mandatory call comprised by the software specification to be stored in a memory of the computer system; and the software object comprising at least one instruction which, when executed by the computer system, causes a test that the state of a conformance-test enabled implementation conforms to the software specification during the mandatory call; wherein the mandatory call comprises a call to at least one method in at least one class different than the class of the software object”* as recited in the independent claims 7, 18, and 29.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satish S. Rampuria whose telephone number is (571) 272-3732. The examiner can normally be reached on 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Y. Zhen can be reached on (571) 272-3708. Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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SUPERVISORY PATENT EXAMINER